

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

4 MICHAEL FOLEY,) Case No. 2:15-cv-02047-JCM-CWH
5 Plaintiff,)
6 v.)
7 FERNANDO PACCHIEGA, et al.,) **ORDER**
8 Defendants.)
9 _____)

Presently before the Court is pro se Plaintiff Michael Foley's amended complaint (ECF No. 6), filed on September 27, 2016. Plaintiff's amended complaint appears to have been filed pursuant to this Court's order (ECF No. 5), issued on August 24, 2016, that his complaint was dismissed without prejudice, with leave to amend.

14 In the Court's order, Plaintiff was informed that if he chose to file an amended complaint, the
15 amended complaint must assert facts that address the defects of the original complaint (ECF No. 3).
16 However, Plaintiff's amended complaint appears to be a photocopy of the original complaint,
17 alleging the same facts. The amended complaint does not address the defects described in the
18 Court's previous order. The Court will therefore dismiss the amended complaint with leave to
19 amend.

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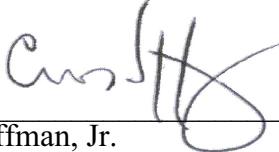
1 IT IS THEREFORE ORDERED that Plaintiff's amended complaint (ECF No. 6) is
2 DISMISSED without prejudice, with leave to amend.

3 IT IS FURTHER ORDERED that Plaintiff may file an amended complaint that addresses the
4 defects in the original complaint. The amended complaint is due no later than April 2, 2018.

5 IT IS FURTHER ORDERED that failure to file an amended complaint will result in a
6 recommendation that this case be dismissed.

7 IT IS FURTHER ORDERED that the Clerk shall send a copy of the Court's previous orders
8 (ECF Nos. 2 and 5) to Plaintiff, along with a copy of this order.

9 DATED: February 28, 2018

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11 C.W. Hoffman, Jr.
12 United States Magistrate Judge

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